IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRI. APPLICATION NO. 4063 OF 2004

Shri Maruti Kondiba Garale & Anr. .. Applicants.

V/s.

The State of Maharashtra .. Respondent.

Shri Dilip Bodake for Applicant.
Mr. S.R.Shinde, APP for Respondent.

CORAM : A.M.KHANWILKAR, J.
DATED : 30.09.2004

PC :-

. Heard the learned counsel for the parties. Perused the record.

. If accepting the prosecution case as it is, contends the learned counsel for the Appilcant, at the best, it will only reveal that some quarrel took place between applicant No.2 and deceased, in which applicant No.2 slapped the deceased. It is soon thereafter, the deceased poured kerosene and set herself ablazed. The statement of neighbour would only reveal that the deceased was being scolded by the applicant because of her improper working habits. There is substance in the argument of the learned Advocate for the applicants. All these allegations

would only show that it was a normal quarrel, which takes place in any household. There is no allegation of demand of dowry. The applicants are in custody since May, 2004. Investigation is complete and the chargesheet has been filed. The applicants are in-laws of the deceased. They are of advance age. Taking overall view of the matter, the Applicants deserve to be released on bail on certain conditions, in the interest of justice, as under :-

Applicants are enlarged on bail in connection with C.R.No.38/2004, registered with Vaduj Police Station, on executing personal bond in the sum of Rs. 10,000/- with one or two local sureties in the like amount.

The Applicants shall not influence the prosecution witness or tamper with the prosecution evidence in any manner whatsoever.

The Applicants shall extend full co-operation for early disposal of the trial. If the trial court is of the opinion that the applicants

are responsible for delay in the conclusion of the trial, that can be a ground for cancellation of their bail.

The Applicants shall report the investigating officer, once in a month, on first Saturday of each English calender month between 11 a.m. to 1 p.m. or on such date and time, as may be required by the investigating officer.

. Order accordingly.

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